



#5

DECLARATION & POWER OF ATTORNEY

Below named inventor, I declare that:  
My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or the original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "TREATING COMPOSITIONS WITH LACTOFERRIN", the specification of which

[ ] is attached hereto

[X] was filed on 12/18/01 as Application Serial No. 10/023,096.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____	_____	_____	Yes	No
(Number)	(Country)	(Day, Month, Year)		

_____	_____	_____	Yes	No
(Number)	(Country)	(Day, Month, Year)		

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of

Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

07/489,186	03/08/90	abandoned
07/998,645	12/30/92	abandoned
08/132,218	10/06/93	abandoned
08/238,445	05/05/94	abandoned
08/724,586	09/30/96	US 6,066,469
09/421,632	10/19/99	US 6,277,817
09/932,190	08/17/01	PENDING

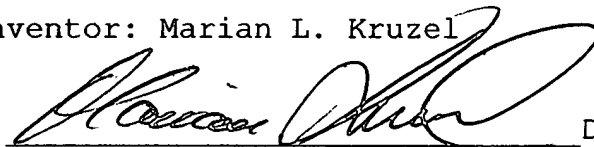
(Application Serial No.)      (Filing Date)      (Status: patented,  
pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Kurt S. Myers, Registration No. 20,244, 7634 Braesdale, Houston, Texas 77071, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Full name of first inventor: Marian L. Kruzel

Inventor's Signature



Date 03/16/02

Residence: 13627 La Concha Ln. , Houston, Texas 77083

Citizenship: U.S.A.

Post Office Address: 13627 La Concha Ln. , Houston, Texas 77083